

**LOS ANGELES COUNTY LAW LIBRARY**

301 West First Street  
Los Angeles, CA 90012-3100  
213-629-3531 (phone) / 213-613-1329 (fax)  
e-mail: mjk@lalaw.lib.ca.us

**BOARD OF TRUSTEES:**

SUSAN STEINHAUSER, ESQ. PRESIDENT  
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JUDGE FRANCIS A. GATELY, JR.  
JUDGE ABRAHAM KHAN  
KENNETH KLEIN, ESQ.  
JUDGE JAN PLUIM  
JUDGE JOHN WILEY



MARCIA J. KOSLOV  
DIRECTOR

November 29, 2005

The Honorable Board of Supervisors  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, CA 90012

Dear Supervisors:

**REQUEST FOR APPROVAL OF TWO ANNUAL INCREASES IN THE  
DISTRIBUTION OF THE CIVIL COURT FILING FEE TO THE LOS ANGELES  
COUNTY LAW LIBRARY (ALL DISTRICTS) (3-VOTES)**

**IT IS RECOMMENDED THAT YOUR BOARD:**

1. Adopt the attached resolution (Attachment A) approving an increase in the distribution to the Law Library of a portion of the Superior Court civil filing fee from \$18 to \$21 per filing, effective January 1, 2006, and from \$21 to \$24 per filing, effective January 1, 2007.
2. Exclude the January 1, 2006, \$3.00 increase and the January 1, 2007, \$3.00 increase from the definition of "total filing fee" under Government Code, Sections 26820.6 and 72055.

**PURPOSE / JUSTIFICATION OF RECOMMENDED ACTION**

The purpose of the recommended action is to increase the annual budget of the Law Library in the calendar years of 2006 and 2007 by increasing the distribution of funds

that the Law Library receives from the Los Angeles County Superior Court civil filing fees by three dollars (\$3) in each of those years.

These two increases in distribution are provided for in Business and Professions Code, Sections 6322.1(a) (as amended by Stats.2005, Chapter 75) and 6321.1(b) (as amended by Stats. 2005, Chapter 706). Those sections allow the Board of Supervisors to approve annual increases for 2006 and 2007 in the distribution of civil filing fees to the Law Library of up to three dollars (\$3) per year in Los Angeles county until the end of the moratorium on the increase of civil court filing fees in 2008 so long as the Board determines that the increases are necessary to defray the expenses of the Law Library.

At its August 18, 2005, meeting, the Board of Law Library Trustees of Los Angeles County passed a resolution in which it determined that three dollar (\$3) increases (from \$18 to \$21) on January 1, 2006, and on January 1, 2007 (from \$21 to \$24), in the amount distributed to the Law Library from of the Superior Court civil filing fee are necessary in order to defray the expenses of the Law Library (Attachment B).

It should be noted that the three dollar (\$3) per year increase does not increase the civil court filing fee. Instead, it is only a change in the amount to be distributed the Law Library from within the current \$320 filing fee.

The Law Library's filing fee was last increased in January, 2005. This filing fee increase has enabled the Law Library to meet its expenses for this year, even though the number of civil court filings decreased from the previous year. The Law Library continues to maintain reduced hours in both the main library and the branch libraries in order to contain costs. In addition, cancellations of integral collection titles have taken place over the past several years and have yet to be renewed or supplemented. The Law Library anticipates that the two increases it is now requesting will help the expenses to continue to be met while hopefully being able to increase the service and collections it provides.

#### **FISCAL IMPACT / FINANCING**

There is no cost to the County or to people filing documents with the Court to implement these two increases in distribution.

A three dollar (\$3) increase from eighteen (\$18) to twenty-one dollars (\$21) beginning January 1, 2006, is expected to distribute an additional \$750,000 annually to the Law Library. A second three dollar (\$3) increase to twenty-four dollars (\$24)

beginning January 1, 2007, is expected to distribute another \$750,000 annually. Thus, the Law Library's budget is expected to be increased by \$1.5 million at the end of 2007.

The Administrative Office of the Courts has established a working group to address issues and concerns related to implementation of the new uniform civil fee structure. The new structure will streamline and simplify civil fees by rolling the current, varied surcharges and add-on fees into a single filing fee. The same fees will be charged for all of the same services across all 58 California counties. It is not yet determined how, when or if additional fees will be allowed after the two year moratorium is lifted.

#### **FACTS and PROVISIONS / LEGAL REQUIREMENTS**

The Los Angeles County Law Library is an independent public agency established by state law. It is not part of county government. It is a public law library serving judges, government officials, attorneys and residents of the County. Eighty-three percent (83%) of its funding comes from a portion of the civil filing fee in the Los Angeles Superior Court. The library receives no funding from the county, state or federal governments.

Pursuant to Business and Professions Code, Section 6322.1(b), the Administrative Office of the Courts must be notified of any increase in the distribution to the Law Library of the civil court filing fee by December 15 of the year prior to the beginning of the requested increase.

This correspondence was reviewed and approved by County Counsel.

#### **IMPACT ON CURRENT SERVICES (OR PROJECTS)**

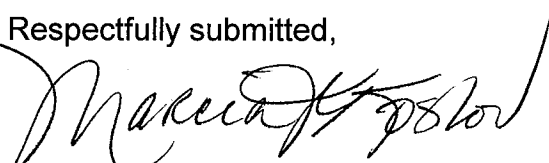
Increases in the distribution of the amount of filing fees over the next two calendar years will enable the Law Library to continue to provide first class legal collections and services to the residents of the County while meeting its expenses.

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**CONCLUSION**

Upon approval of the recommendations by the Board of Supervisors, it is requested that the Executive Officer, Board of Supervisors, forward copies of the executed resolution to the Chief Administrative Office and to the Los Angeles County Law Library, 301 West First Street, Los Angeles, CA 90012-3100, Attention: Marcia J. Koslov, Director and Secretary, Board of Law Library Trustees.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Marcia J. Koslov", with a large, sweeping flourish extending from the end of the signature.

Marcia J. Koslov  
Director and Secretary to the  
Board of Law Library Trustees

Cc: Chief Administrative Officer  
County Counsel  
Executive Officer, Board of Supervisors  
Auditor-Controller

## ATTACHMENT A

### **RESOLUTION TO INCREASE IN THE DISTRIBUTION OF THE FILING FEE FOR THE LAW LIBRARY FOR 2006 AND 2007**

WHEREAS, the Board of Supervisors is empowered by Section 6322.1 of the Business and Professions Code to increase the amount distributed to the Law Library fund from each civil court filing by up to three dollars (\$3) per filing, per year whenever it determines that the increase is necessary; and

WHEREAS, the uniform civil fee legislation enables all county law libraries to request an increase in the distribution amount of the civil filing fee for the county law libraries in the amount of \$3.00, effective January 1, 2006, and \$3.00, effective January 1, 2007; and

WHEREAS, it was the finding of the Board of Law Library Trustees of Los Angeles County on August 18, 2005, that increases in the distribution of the filing fee of three dollars (\$3.00) on January 1, 2006, and three dollars (\$3.00) on January 1, 2007, are needed in order to defray the expenses of the Law Library; and

WHEREAS, the Board of Supervisors has determined that a three dollar (\$3.00) increase in the distribution of the filing fee on both January 1, 2006, and January 1, 2007, are necessary to defray the expenses of the Law Library;

NOW, THEREFORE, BE IT RESOLVED, that the filing fee distribution for the Law Library be increased by three dollars (\$3.00) to twenty-one dollars (\$21.00) effective January 1, 2006, and by another three dollars (\$3.00) to twenty-four dollars (\$24) effective January 1, 2007.

BE IT FURTHER RESOLVED AND ORDERED that the two three dollar (\$3.00) increases are excluded from the definition of "total fee" under Sections 26820.4 and 72055 of the Government Code.

The foregoing resolution was on  
the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_,  
Adopted by the Board of Supervisors of the County  
of Los Angeles and ex officio the governing body  
of all other special assessment and taxing districts,  
agencies and authorities for which said Board so acts.

VIOLET VARONA-LUKENS, Executive Officer-  
Clerk of the Board of Supervisors of  
the County of Los Angeles

By \_\_\_\_\_  
Deputy

APPROVED AS TO FORM  
BY COUNTY COUNSEL

RAYMOND G. FORTNER, JR.

By  \_\_\_\_\_  
Deputy

## **ATTACHMENT B**

### **INCREASE IN THE DISTRIBUTION OF THE FILING FEE FOR THE LAW LIBRARY**

WHEREAS, new legislation, Stats. 2005 Chapter 75, Section 6 repeals Section 6322.1 of the Business and Professions code and Section 7 amends Section 6322.1 of the Business and Professions code as follows: "Until the end of the moratorium described in Section 70601 of the Government Code, the board of supervisors of any county may increase...the amount distributed to its county law library fund from the uniform filing fees listed in Section 6321 whenever it determines that the increase is necessary...."; and

WHEREAS, the uniform civil fee legislation, enables all county law libraries to request an increase in the distribution amount of the civil filing fee for the county law libraries in the amount of \$3.00, effective January 1, 2006 and \$3.00, effective January 1, 2007; and

WHEREAS, it is the finding of the Board of Law Library Trustees of Los Angeles County that the increase in the distribution of the filing fee of three dollars (\$3) on January 1, 2006 and three dollars (\$3) on January 1, 2007 is needed in order to defray the expenses of the Law Library;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of the County of Los Angeles is requested to order that the filing fee distribution for the Law Library be increased to twenty-one dollars (\$21) in 2006, and to twenty-four dollars (\$24) in 2007 in the Superior Court for each event described in Sections 6321 and 6322 of the Business and Professions Code of the State of California, effective January 1, 2006.

**The above resolution was adopted by the Los Angeles County Law Library Board of Trustees on Thursday, August 18, 2005.**